

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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VICTORIA HANNAHOE,

Index No.:

Plaintiff,
-against-

COMPLAINT

WYNDHAM HOTELS AND RESORTS INC.,
WYNDHAM HOTELS AND RESORTS, LLC,
WYNDHAM HOTEL GROUP, LLC, WYNDHAM
HOTEL MANAGEMENT, INC and CLUB
WYNDHAM SKYLINE RESORT,

Defendants.

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The plaintiff, VICORIA HANNAHOE, as and for her Complaint against the defendants, by her attorneys, GREY AND GREY, LLP, upon information and belief respectfully alleges:

JURISDICTION AND VENUE

1. This is a claim for personal injuries in excess of the minimum jurisdictional requirements of this Court.
2. Jurisdiction of this Court is pursuant to 28 U.S.C. 1332, as plaintiff at the time of the incident was a citizen of Commack, New York and the location of the accident was at defendant's Club Wyndham Skyline Resort in Atlantic City, New Jersey. Venue is proper in this Court.

PARTIES

3. That defendant, WYNDHAM HOTELS AND RESORTS INC. is a foreign corporation authorized to conduct business in the State of New Jersey, with its principal place of business and/or headquarters located at 22 Sylvan Way, Parsippany, New Jersey 07054.
4. That defendant, WYNDHAM HOTELS AND RESORTS, INC. is a foreign limited liability company authorized to conduct business in the State of New Jersey, with its principal place of business and/or headquarters located at 22 Sylvan Way, Parsippany, New Jersey 07054.

5. That defendant, WYNDHAM HOTELS AND RESORTS, LLC is a foreign corporation authorized to conduct business in the State of New Jersey, with its principal place of business and/or headquarters located at 22 Sylvan Way, Parsippany, New Jersey 07054.

6. That defendant, WYNDHAM HOTELS AND RESORTS, LLC is a foreign limited liability company authorized to conduct business in the State of New Jersey, with its principal place of business and/or headquarters located at 22 Sylvan Way, Parsippany, New Jersey 07054.

7. That defendant, WYNDHAM HOTELS AND RESORTS, LLC is a foreign corporation authorized to conduct business in the State of New York, with a registered service address of 600 Mamaroneck Avenue, Suite 400, Harrison, New York 10528.

8. That defendant, WYNDHAM HOTELS AND RESORTS, LLC is a foreign limited liability company authorized to conduct business in the State of New York, with a registered service address of 600 Mamaroneck Avenue, Suite 400, Harrison, New York 10528.

9. That defendant, WYNDHAM HOTEL GROUP, LLC is a foreign corporation authorized to conduct business in the State of New Jersey, with its principal place of business and/or headquarters located at 22 Sylvan Way, Parsippany, New Jersey 07054.

10. That defendant, WYNDHAM HOTEL GROUP, LLC is a foreign limited liability company authorized to conduct business in the state of New Jersey, with its principal place of business and/or headquarters located at 22 Sylvan Way, Parsippany, New Jersey 07054.

11. That defendant, WYNDHAM HOTEL GROUP, LLC is a foreign corporation authorized to conduct business in the State of New York, with a registered service address of 600 Mamaroneck Avenue, Suite 400, Harrison, New York 10528.

12. That defendant, WYNDHAM HOTEL GROUP, LLC is a foreign limited liability company authorized to conduct business in the State of New York, with a registered service address of 600 Mamaroneck Avenue, Suite 400, Harrison, New York 10528.

13. That defendant, WYNDHAM HOTEL MANAGEMENT, INC. is a foreign corporation authorized to conduct business in the State of New Jersey, with its principal place of business and/or headquarters located at 22 Sylvan Way, Parsippany, New Jersey 07054.

14. That defendant, WYNDHAM HOTEL MANAGEMENT, INC. is a foreign limited liability company authorized to conduct business in the state of New Jersey, with its principal place of business and/or headquarters located at 22 Sylvan Way, Parsippany, New Jersey 07054.

15. That defendant, WYNDHAM HOTEL MANAGEMENT, INC. is a foreign corporation authorized to conduct business in the State of New York, with a registered service address of 600 Mamaroneck Avenue, Suite 400, Harrison, New York 10528.

16. That defendant, WYNDHAM HOTEL MANAGEMENT, INC. is a foreign limited liability company authorized to conduct business in the State of New York, with a registered service address of 600 Mamaroneck Avenue, Suite 400, Harrison, New York 10528.

17. That defendant, CLUB WYNDHAM SKYLINE RESORT is a foreign corporation authorized to conduct business in the State of New Jersey, with its principal place of business and/or headquarters located at 22 Sylvan Way, Parsippany, New Jersey 07054.

18. That defendant, CLUB WYNDHAM SKYLINE RESORT is a foreign limited liability company authorized to conduct business in the state of New Jersey, with its principal place of business and/or headquarters located at 22 Sylvan Way, Parsippany, New Jersey 07054.

19. That defendant, WYNDHAM HOTELS AND RESORTS INC., its agents, servants and/or employees owned, operated, managed, maintained, installed, controlled, inspected, supervised and repaired the hotel identified as defendant, CLUB WYNDHAM SKYLINE RESORT, located at 100 S. North Carolina Avenue, Atlantic City, New Jersey 08401 and appurtenances thereto.

20. That defendant, WYNDHAM HOTELS AND RESORTS, LLC, its agents, servants and/or employees owned, operated, managed, maintained, installed, controlled, inspected, supervised and repaired the hotel identified as defendant, CLUB WYNDHAM SKYLINE RESORT, located at 100 S. North Carolina Avenue, Atlantic City, New Jersey 08401 and appurtenances thereto.

21. That defendant, WYNDHAM HOTEL GROUP, LLC, its agents, servants and/or employees owned, operated, managed, maintained, installed, controlled, inspected, supervised and repaired the hotel identified as defendant, CLUB WYNDHAM SKYLINE RESORT, located at 100 S. North Carolina Avenue, Atlantic City, New Jersey 08401 and appurtenances thereto.

22. That defendant, WYNDHAM HOTEL MANAGEMENT, INC., its agents, servants and/or employees owned, operated, managed, maintained, installed, controlled, inspected, supervised and repaired the hotel identified as defendant, CLUB WYNDHAM SKYLINE RESORT, located at 100 S. North Carolina Avenue, Atlantic City, New Jersey 08401 and appurtenances thereto.

23. That defendant, WYNDHAM HOTELS AND RESORTS, LLC., its agents, servants and/or employees owned, operated, managed, maintained, installed, controlled, inspected, supervised and repaired the hotel identified as defendant, CLUB WYNDHAM SKYLINE RESORT, located at 100 S. North Carolina Avenue, Atlantic City, New Jersey 08401, more specifically the doors leading from the rooms to the balconies.

24. That defendant, WYNDHAM HOTEL GROUP, LLC., its agents, servants and/or employees owned, operated, managed, maintained, installed, controlled, inspected, supervised and

repaired the hotel identified as defendant, CLUB WYNDHAM SKYLINE RESORT, located at 100 S. North Carolina Avenue, Atlantic City, New Jersey 08401, more specifically the doors leading from the rooms to the balconies.

25. That defendant, WYNDHAM HOTEL MANAGEMENT, INC., its agents, servants and/or employees owned, operated, managed, maintained, installed, controlled, inspected, supervised and repaired the hotel identified as defendant, CLUB WYNDHAM SKYLINE RESORT, located at 100 S. North Carolina Avenue, Atlantic City, New Jersey 08401, more specifically the doors leading from the rooms to the balconies.

26. That on or about August 22, 2020, plaintiff was a guest at defendant, CLUB WYNDHAM SKYLINE RESORT, located at 100 S. North Carolina Avenue, Atlantic City, New Jersey 08401.

27. That on or about August 22, 2020, plaintiff was walking back into her room from the balcony area when the door that connects the balcony to the room slammed into the back of her left ankle causing severe personal injuries to her left ankle.

28. That on or about August 22, 2020, the closing mechanism installed on the door was defective or otherwise inadequate or non-operational, hence failing to prevent the door from closing rapidly and with such force causing injuries to plaintiff's left ankle.

29. That on or about August 22, 2020, there was no hydraulic closing mechanism installed on the door to prevent the door from closing rapidly with such force and causing injuries to plaintiff's left ankle.

30. That by reason of the aforementioned occurrence, plaintiff, VICTORIA HANNAHoe, was caused to sustain serious injuries, requiring hospitalization, surgery and physical therapy, plaintiff has suffered pain, shock, mental anguish; that these injuries and their effects will be permanent; and as

a result of said injuries plaintiff has been caused to incur and will continue to incur expenses for medical care and/ as a result, plaintiff was and will continue to be rendered unable to perform her normal activities and duties and have sustained a resultant loss therefor.

31. That prior to August 22, 2020, and at all times hereinafter mentioned, defendant, WYNDHAM HOTELS AND RESORTS INC. owed a duty to persons, including plaintiff, VICTORIA HANNAHOE, to keep and maintain the aforesaid hotel and its appurtenance in a reasonably safe condition.

32. That prior to August 22, 2020, and at all times hereinafter mentioned, defendant, WYNDHAM HOTELS AND RESORTS, LLC owed a duty to persons, including plaintiff, VICTORIA HANNAHOE, to keep and maintain the aforesaid hotel and its appurtenance in a reasonably safe condition.

33. That prior to August 22, 2020, and at all times hereinafter mentioned, defendant, WYNDHAM HOTEL GROUP, LLC owed a duty to persons, including plaintiff, VICTORIA HANNAHOE, to keep and maintain the aforesaid hotel and its appurtenance in a reasonably safe condition.

34. That prior to August 22, 2020, and at all times hereinafter mentioned, defendant, WYNDHAM HOTEL MANAGEMENT, INC. owed a duty to persons, including plaintiff, VICTORIA HANNAHOE, to keep and maintain the aforesaid hotel and its appurtenance in a reasonably safe condition.

35. That defendant, WYNDHAM HOTELS AND RESORTS INC. is responsible for checking, installing, inspecting and repairing the closing mechanisms on all its doors, specifically those doors leading from the rooms to their balconies, so that they will be safe for and not pose an unreasonable risk to guests at the defendant hotel, CLUB WYNDHAM SKYLINE RESORT.

36. That defendant, WYNDHAM HOTELS AND RESORTS, LLC, is responsible for checking, installing, inspecting and repairing the closing mechanisms on all its doors, specifically those doors leading from the rooms to their balconies, so that they will be safe for and not pose an unreasonable risk to guests at the defendant hotel, CLUB WYNDHAM SKYLINE RESORT.

37. That defendant, WYNDHAM HOTEL GROUP, LLC, is responsible for checking, installing, inspecting and repairing the closing mechanisms on all its doors, specifically those doors leading from the rooms to their balconies, so that they will be safe for and not pose an unreasonable risk to guests at the defendant hotel, CLUB WYNDHAM SKYLINE RESORT.

38. That defendant, WYNDHAM HOTEL MANAGEMENT, INC. is responsible for checking, installing, inspecting and repairing the closing mechanisms on all its doors, specifically those doors leading from the rooms to their balconies, so that they will be safe for and not pose an unreasonable risk to guests at the defendant hotel, CLUB WYNDHAM SKYLINE RESORT.

39. That the defendants, their agents, servants and/or employees were negligent, reckless and careless in the ownership, operation, management, maintenance, installation, inspection, control, supervision and repair of the aforesaid balcony doors; in failing to install a proper mechanism to control the rate and force in which the balcony doors close; or in otherwise failing to install a proper balcony door; in failing to inspect the balcony doors; in failing to warn about the mechanism and weight of the door; and in being otherwise negligent, reckless, and careless.

40. That said accident and injuries resulting therefrom were caused wholly and solely by the negligence of the defendants without any negligence on the part of the plaintiff contributing thereto.

41. That on or about August 22, 2020, or prior thereto, defendants, their servants, agents and/or employees caused and/or created the aforesaid dangerous and defective condition.

42. That on or about August 22, 2020, or prior thereto, defendants, their servants, agents and/or employees had actual notice of the aforesaid dangerous and defective condition.

43. That on or about August 22, 2020, or prior thereto, defendants, their servants, agents and/or employees had constructive notice of the aforesaid dangerous and defective condition.

44. That defendants despite causing said dangerous and defective condition, or having actual or constructive notice of said dangerous and defective condition, failed to remedy said condition prior to the occurrence herein, despite having reasonable opportunity to remedy said condition.

45. That as a result of the aforementioned occurrence, plaintiff VICTORIA HANNAHOE has been damaged in the sum of ONE MILLION (\$1,000,000.00) DOLLARS.

DEMAND FOR TRIAL BY JURY

46. Plaintiff, VICTORIA HANNAHOE requests trial by jury.

WHEREFORE, plaintiff, VICTORIA HANNAHOE demands judgment against the defendants in the sum of ONE MILLION (\$1,000,000.00) DOLLARS, together with costs and disbursements of this action.

Dated: Farmingdale, NY
August 16, 2022

Yours, etc.,
GREY & GREY, LLP



By:

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TO:

WYNDHAM HOTELS AND RESORTS INC
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22 Sylvan Way
Parsippany, New Jersey 07054

WYNDHAM HOTELS AND RESORTS, LLC
c/o Corporate Creations Network Inc.
600 Mamaroneck Avenue, Suite 400
Harrison, New York 10528
Via Secretary of State and Personal Service

WYNDHAM HOTEL GROUP, LLC
c/o Corporate Creations Network Inc.
600 Mamaroneck Avenue, Suite 400
Harrison, New York 10528
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